

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Gilliland, et al.

Title: Automatic Power Control and Laser Slope  
Efficiency Normalizing Circuit

Serial No.: 10/015,103

Filed: February 4, 2000

Parent filed February 4, 2000

Group Art Unit: 2874

**RECEIVED**  
OCT 21 2003  
OFFICE OF PETITIONS

**REQUEST FOR RECONSIDERATION OF PETITION**  
**UNDER 37 C.F.R. §§1.48(a) AND §1.183**

Commissioner for Patents

Washington, D.C. 20231

Attn: Petitions Attorney Derek L. Woods

Dear Sir:

In response to the Office Action dated May 19, 2003, and based on the facts stated herein, Assignee hereby petitions the Commissioner to reconsider the petition under 37 C.F.R. §§1.48(a) and 37 C.F.R. §1.48(a).

37 C.F.R. §1.48(a) requires that an amended declaration to an application to correct the listed inventors be accompanied by: (1) a request to correct the inventorship that sets forth the desired inventorship change; (2) a statement from each person being added and from each person being deleted as an inventor that the error occurred without deceptive intent on his or her part; (3) an oath or declaration by each actual inventor or inventors; (4) the fee; and (5) the written consent of any existing assignee.

Accordingly, pursuant to 37 C.F.R. §1.48(a), the assignee of record, Stratos Lightwave, via its attorney of record and senior patent counsel, Steven Evans, hereby requests and gives consent for the amendment and correction of the inventors' declaration for the above-identified application. The Patent Office is authorized to charge any required fee regarding this correction of inventorship to deposit account number 50-1413

of Stratos Lightwave. A petition fee has already been charged for the original petition. Thus, sections (1), (4), and (5) of 37 C.F.R. §1.48(a) have been satisfied.

Regarding sections (2) and (3) of 37 C.F.R. §1.48(a), there are five inventors on this application: Patrick B. Gilliland, Luis Torres, Evgueniy Anguelov, Mike A. Ward, and David C. Schie. Only inventor Luis Torres is still employed and/or willing to sign the amended declaration and statement of "no intent to deceive." Mr. Torres signed the amended declaration which was previously submitted. Mr. Torres has signed a statement of no intent to deceive, which is filed herewith. (Attachment A).

Assignee Stratos Lightwave, via its attorney Steve Evans, has sent letters containing the required documents to the remaining four inventors. (See Attachments B - E). Stratos has confirmed the current addresses of inventors Evgueniy Anguelov and Patrick Gilliland. Mr. Anguelov has specifically refused to sign these papers, as shown in his email response (Attachment F). Mr. Gilliland has not responded to the letter sent to him. Stratos has been unable to locate or confirm the current mailing addresses of David C. Schie and Mike A. Ward through local public listings proximate to their last known addresses. Stratos has not received a response to the letters sent to the last known addresses of Mr. Schie and Mr. Ward. The letter sent to Mr. Ward was returned as addressee unknown.

The Assignee, Stratos Lightwave, has attempted to comply with sections (2) and (3) of 37 C.F.R. §1.48(a), but four inventors are unwilling or unavailable to sign the amended declaration and statement of no intent to deceive. Accordingly, the Assignee request that Petition for Reconsideration be granted.

Respectfully Submitted,



Steven M. Evans, Reg. No. 35,503  
Senior Patent Counsel  
Stratos Lightwave, Inc.  
7444 West Wilson Ave.  
Chicago, IL 60706  
708-867-9600

# **Attachment**

**A**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gilliland, et al.

Title: Automatic Power Control and Laser Slope Efficiency Normalizing Circuit

Serial No.: 10/015,103

Filed: December 11, 2001

Parent filed February 4, 2000

Group Art Unit: 2874

RECEIVED

OCT 21 2003

OFFICE OF PETITIONS

**STATEMENT BY LUIS TORRES THAT ERROR IN  
DECLARATION OCCURRED WITHOUT DECEPTIVE INTENT**

Commissioner for Patents  
Washington, D.C. 20231

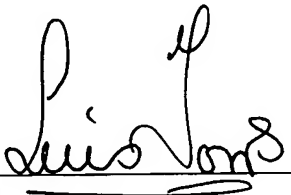
Dear Sir:

I, Luis Torres, hereby declare as follows:

1. I am a joint inventor on the above-identified application.
2. There are five inventors on this application, Patrick B. Gilliland, Luis Torres, Evgueniy Anguelov, Mike A. Ward, and David C. Schie.
3. Inventors Patrick B. Gilliland, Luis Torres, and Evgueniy Anguelov worked for Methode Electronics when the application was filed, and each of these inventors signed the same Declaration and Assignment.
4. Inventors Mike A. Ward and David C. Schie were employees of Linear Dimensions when the application was filed. Mike Ward signed a separate Declaration and Assignment.
5. Multiple declarations and assignments were used as a convenience for the inventors because the inventors were located at different locations.

6. The separate declarations and assignments inadvertently and without deceptive intent failed to list all five of the inventors on each of the separate declarations and assignments. Furthermore, all five of the inventors were clearly identified on the transmittal papers when the application was originally filed.

7. I hereby declare that all statements made herein are of my own knowledge and are believed to be true, and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, and such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

  
Luis Torres

09-19-03  
Date

# **Attachment**

## **B**



Stratos Lightwave, Inc.

7444 West Wilson Avenue • Chicago, Illinois 60706 • 708.867.9600 • Fax: 708.867.9130

RECEIVED

OCT 21 2003

September 22, 2003

OFFICE OF PETITIONS

Mike A. Ward  
2108 North Kenmore, #2R  
Chicago, IL 60614

**Re: Automatic Power Control Laser Slope Efficiency Normalizing Circuit  
Filed February 4, 2000; U. S. Serial No. 09/498,221; Case No. 902OE002**

Dear Mr. Ward:

The Patent and Trademark Office has requested that we file a corrected Declaration of Inventors. In the filed application, there were several Declarations, instead of just one, due to multiple inventors at different locations. Furthermore, all five inventors were not listed on each of the separate declarations. Of course, all five inventors were clearly identified on the coversheet of the filed application. We need to file a single declaration listing all of the five inventors. Also, we need to file a statement from each inventor stating that there was no intent to deceive the patent office that there were less than five inventors.

Please sign the enclosed Declaration listing all five inventors and the Statement of No Intent. If you have any questions or need more information, please feel free to call me.

Sincerely,

Steven M. Evans  
Senior Patent Attorney

SME:aw  
Enclosures

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As below-named inventors: **Patrick B. Gilliland, Luis R. Torres, Evgueniy Anguelov,  
David C. Schie and Mike A. Ward**

Our residences, post office addresses and citizenship is as stated below, next to our names.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**AUTOMATIC POWER CONTROL AND LASER SLOPE EFFICIENCY  
NORMALIZING THROUGH COMPENSATIONS IN MODULATION CURRENT**

In the specification of which

       is attached hereto.  
  X   was filed on February 4, 2000, as U.S. Application No. 09/498,221  
or PCT International Application Serial No.                                   
and was amended on                                   
(if applicable)

**RECEIVED**

**OCT 21 2003**

**OFFICE OF PETITIONS**

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

We do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application.

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority</u>
			<u>Claimed</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes    No</u>
_____	_____	_____	_____



(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status -- patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status -- patented, pending, abandoned)

We hereby appoint to prosecute and transact all business in the Patent and Trademark Office connected therewith as our attorneys: Karl Kovach, Esq., Reg. No. 40,278, and Steven M. Evans, Esq., Reg. 35,503, whose mailing address and telephone number is STRATOS LIGHTWAVE INC., 7444 West Wilson Avenue, Chicago, IL 60656-4549, (708) 867-9600, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith and direct that all correspondence be forwarded to:

Steven M. Evans, Esq.  
 Stratos Lightwave, Inc.  
 7444 West Wilson Avenue  
 Chicago, Illinois 60656

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: Patrick B. Gilliland

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Santa Barbara, California 93103  
 Citizenship: U.S.A  
 Post Office Address: 1633 Loma Street, Santa Barbara, California 93103

Full Name of Second Inventor: Luis Torres

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Rolling Meadows, Illinois 60008

Citizenship: U.S.A.

Post Office Address: 2Knoll Ridge Road, Rolling Meadows, Illinois 60008

Full Name of Second Inventor: Evgueniy Anguelov

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Sunnyvale, California 94086

Citizenship: U.S.A.

Post Office Address: 220 North Mathilda Avenue, #13, Sunnyvale, California 94085

Full Name of Second Inventor: David C. Schie

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: River Grove, Illinois 60171

Citizenship: U.S.A.

Post Office Address: 8218 West Walsh Lance, Apartment 6, River Grove, Illinois 60171

Full Name of Second Inventor: Mike A. Ward

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Chicago, Illinois

Citizenship: U.S.A.

Post Office Address: 2108 North Kenmore, #2R, Chicago, Illinois 60614

"Express Mail No. \_\_\_\_\_

Date of Deposit \_\_\_\_\_

I hereby certify that this paper is being  
deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service,  
under 37 CFR § 1.10 on the date indicated above  
and is addressed to Commissioner of Patents,  
P O Box 1450, Alexandria, VA 22313-1450

RECEIVED

OCT 21 2003

Attorney Case No. 902OE002

OFFICE OF PETITIONS  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	)	
Gilliland, et al.	)	Group Art Unit: 2877
	)	
Title: Automatic Power Control and Laser Slope	)	Examiner: Rodriguez, A.
Efficiency Normalizing Circuit	)	
	)	
Serial No.: 09/498,221	)	
	)	
Filed: February 4, 2000	)	

**STATEMENT BY MIKE WARD THAT ERROR IN  
DECLARATION OCCURRED WITHOUT DECEPTIVE INTENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Mike A. Ward, hereby declare as follows:

1. I am a joint inventor on the above-identified application.
2. There are five inventors on this application, Patrick B. Gilliland, Luis Torres, Evgueniy Anguelov, Mike A. Ward, and David C. Schie.
3. Inventors Patrick B. Gilliland, Luis Torres, and Evgueniy Anguelov worked for Methode Electronics when the application was filed, and each of these inventors signed the same Declaration and Assignment.
4. Inventors Mike A. Ward and David C. Schie were employees of Linear Dimensions when the application was filed. Mike Ward signed a separate Declaration and Assignment.
5. Multiple declarations and assignments were used as a convenience for the inventors because the inventors were located at different locations.

6. The separate declarations and assignments inadvertently and without deceptive intent failed to list all five of the inventors on each of the separate declarations and assignments. Furthermore, all five of the inventors were clearly identified on the transmittal papers when the application was originally filed.

7. I hereby declare that all statements made herein are of my own knowledge and are believed to be true, and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, and such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

\_\_\_\_\_  
Mike A, Ward

\_\_\_\_\_  
Date

# **Attachment**

**C**



Stratos Lightwave, Inc.

7444 West Wilson Avenue • Chicago, Illinois 60706 • 708.867.9600 • Fax: 708.867.9130

RECEIVED

OCT 21 2003

OFFICE OF PETITIONS

September 22, 2003

Mr. David C. Schie  
8218 West Walsh Lane  
Apartment 6  
River Grove, Illinois 60171

**Re: Automatic Power Control Laser Slope Efficiency Normalizing Circuit**  
**Filed February 4, 2000; U. S. Serial No. 09/498,221; Case No. 902OE002**

Dear Mr. Schie:

The Patent and Trademark Office has requested that we file a corrected Declaration of Inventors. In the filed application, there were several Declarations, instead of just one, due to multiple inventors at different locations. Furthermore, all five inventors were not listed on each of the separate declarations. Of course, all five inventors were clearly identified on the coversheet of the filed application. We need to file a single declaration listing all of the five inventors. Also, we need to file a statement from each inventor stating that there was no intent to deceive the patent office that there were less than five inventors.

Please sign the enclosed Declaration listing all five inventors and the Statement of No Intent. If you have any questions or need more information, please feel free to call me.

Sincerely,

A handwritten signature in cursive script that reads "Steven M. Evans".  
Steven M. Evans  
Senior Patent Attorney

SME:aw  
Enclosures

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As below-named inventors: **Patrick B. Gilliland, Luis R. Torres, Evgueniy Anguelov,  
David C. Schie and Mike A. Ward**

Our residences, post office addresses and citizenship is as stated below, next to our names.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**AUTOMATIC POWER CONTROL AND LASER SLOPE EFFICIENCY  
NORMALIZING THROUGH COMPENSATIONS IN MODULATION CURRENT** **RECEIVED  
OCT 21 2003**

In the specification of which

OFFICE OF PETITIONS

       is attached hereto.  
  X   was filed on February 4, 2000, as U.S. Application No. 09/498,221  
or PCT International Application Serial No.                       
and was amended on                       
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

We do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application.

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>      </u> Yes	<u>      </u> No

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status -- patented, pending, abandoned)</u>
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status -- patented, pending, abandoned)</u>

We hereby appoint to prosecute and transact all business in the Patent and Trademark Office connected therewith as our attorneys: Karl Kovach, Esq., Reg. No. 40,278, and Steven M. Evans, Esq., Reg. 35,503, whose mailing address and telephone number is STRATOS LIGHTWAVE INC., 7444 West Wilson Avenue, Chicago, IL 60656-4549, (708) 867-9600, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith and direct that all correspondence be forwarded to:

Steven M. Evans, Esq.  
Stratos Lightwave, Inc.  
7444 West Wilson Avenue  
Chicago, Illinois 60656

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: Patrick B. Gilliland

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Santa Barbara, California 93103  
Citizenship: U.S.A  
Post Office Address: 1633 Loma Street, Santa Barbara, California 93103



Full Name of Second Inventor: Luis Torres

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Rolling Meadows, Illinois 60008

Citizenship: U.S.A.

Post Office Address: 2Knoll Ridge Road, Rolling Meadows, Illinois 60008

Full Name of Second Inventor: Evgueniy Anguelov

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Sunnyvale, California 94086

Citizenship: U.S.A.

Post Office Address: 220 North Mathilda Avenue, #13, Sunnyvale, California 94085

Full Name of Second Inventor: David C. Schie

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: River Grove, Illinois 60171

Citizenship: U.S.A.

Post Office Address: 8218 West Walsh Lance, Apartment 6, River Grove, Illinois 60171

Full Name of Second Inventor: Mike A. Ward

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Chicago, Illinois

Citizenship: U.S.A.

Post Office Address: 2108 North Kenmore, #2R, Chicago, Illinois 60614

"Express Mail No. \_\_\_\_\_

Date of Deposit \_\_\_\_\_

I hereby certify that this paper is being  
deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service,  
under 37 CFR § 1.10 on the date indicated above  
and is addressed to Commissioner of Patents,  
P O Box 1450, Alexandria, VA 22313-1450

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	)	
Gilliland, et al.	)	Group Art Unit: 2877
	)	
Title: Automatic Power Control and Laser Slope	)	Examiner: Rodriguez, A.
Efficiency Normalizing Circuit	)	
	)	
Serial No.: 09/498,221	)	
	)	
Filed: February 4, 2000	)	

**STATEMENT BY DAVID SCHIE THAT ERROR IN  
DECLARATION OCCURRED WITHOUT DECEPTIVE INTENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, David C. Schie, hereby declare as follows:

1. I am a joint inventor on the above-identified application.
2. There are five inventors on this application, Patrick B. Gilliland, Luis Torres, Evgueniy Anguelov, Mike A. Ward, and David C. Schie.
3. Inventors Patrick B. Gilliland, Luis Torres, and Evgueniy Anguelov worked for Methode Electronics when the application was filed, and each of these inventors signed the same Declaration and Assignment.
4. Inventors Mike A. Ward and David C. Schie were employees of Linear Dimensions when the application was filed. Mike Ward signed a separate Declaration and Assignment.
5. Multiple declarations and assignments were used as a convenience for the inventors because the inventors were located at different locations.

6. The separate declarations and assignments inadvertently and without deceptive intent failed to list all five of the inventors on each of the separate declarations and assignments. Furthermore, all five of the inventors were clearly identified on the transmittal papers when the application was originally filed.

7. I hereby declare that all statements made herein are of my own knowledge and are believed to be true, and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, and such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

\_\_\_\_\_  
David C. Schie

\_\_\_\_\_  
Date

# **Attachment**

**D**



Stratos Lightwave, Inc.

7444 West Wilson Avenue • Chicago, Illinois 60706 • 708.867.9600 • Fax: 708.867.9130

September 22, 2003

Mr. Patrick B. Gilliland  
1633 Loma Street  
Santa Barbara, California 93103

**Re: Automatic Power Control Laser Slope Efficiency Normalizing Circuit  
Filed February 4, 2000; U. S. Serial No. 09/498,221; Case No. 902OE002**

Dear Pat:

The Patent and Trademark Office has requested that we file a corrected Declaration of Inventors. In the filed application, there were several Declarations, instead of just one, due to multiple inventors at different locations. Furthermore, all five inventors were not listed on each of the separate declarations. Of course, all five inventors were clearly identified on the coversheet of the filed application. We need to file a single declaration listing all of the five inventors. Also, we need to file a statement from each inventor stating that there was no intent to deceive the patent office that there were less than five inventors.

Please sign the enclosed Declaration listing all five inventors and the Statement of No Intent. If you have any questions or need more information, please feel free to call me.

Sincerely,

Steven M. Evans  
Senior Patent Attorney

SME:aw  
Enclosures

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As below-named inventors: Patrick B. Gilliland, Luis R. Torres, Evgueniy Anguelov,  
David C. Schie and Mike A. Ward

Our residences, post office addresses and citizenship is as stated below, next to our names.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**AUTOMATIC POWER CONTROL AND LASER SLOPE EFFICIENCY  
NORMALIZING THROUGH COMPENSATIONS IN MODULATION CURRENT**

In the specification of which

\_\_\_\_\_ is attached hereto.  
X was filed on February 4, 2000, as U.S. Application No. 09/498,221  
or PCT International Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

We do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application.

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
_____	_____	_____	_____	_____

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status – patented, pending, abandoned)</u>
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status – patented, pending, abandoned)</u>

We hereby appoint to prosecute and transact all business in the Patent and Trademark Office connected therewith as our attorneys: Karl Kovach, Esq., Reg. No. 40,278, and Steven M. Evans, Esq., Reg. 35,503, whose mailing address and telephone number is STRATOS LIGHTWAVE INC., 7444 West Wilson Avenue, Chicago, IL 60656-4549, (708) 867-9600, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith and direct that all correspondence be forwarded to:

Steven M. Evans, Esq.  
Stratos Lightwave, Inc.  
7444 West Wilson Avenue  
Chicago, Illinois 60656

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: Patrick B. Gilliland

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Santa Barbara, California 93103

Citizenship: U.S.A

Post Office Address: 1633 Loma Street, Santa Barbara, California 93103

**Full Name of Second Inventor:** Luis Torres

**Inventor's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Residence:** Rolling Meadows, Illinois 60008

**Citizenship:** U.S.A.

**Post Office Address:** 2Knoll Ridge Road, Rolling Meadows, Illinois 60008

**Full Name of Second Inventor:** Evgueniy Anguelov

**Inventor's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Residence:** Sunnyvale, California 94086

**Citizenship:** U.S.A.

**Post Office Address:** 220 North Mathilda Avenue, #13, Sunnyvale, California 94085

**Full Name of Second Inventor:** David C. Schie

**Inventor's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Residence:** River Grove, Illinois 60171

**Citizenship:** U.S.A.

**Post Office Address:** 8218 West Walsh Lane, Apartment 6, River Grove, Illinois 60171

**Full Name of Second Inventor:** Mike A. Ward

**Inventor's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Residence:** Chicago, Illinois

**Citizenship:** U.S.A.

**Post Office Address:** 2108 North Kenmore, #2R, Chicago, Illinois 60614

**"Express Mail No.** \_\_\_\_\_

**Date of Deposit** \_\_\_\_\_

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner of Patents, P O Box 1450, Alexandria, VA 22313-1450



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	)	
Gilliland, et al.	)	Group Art Unit: 2877
	)	
Title: Automatic Power Control and Laser Slope	)	Examiner: Rodriguez, A.
Efficiency Normalizing Circuit	)	
	)	
Serial No.: 09/498,221	)	
	)	
Filed: February 4, 2000	)	

**STATEMENT BY PATRICK GILLILAND THAT ERROR IN  
DECLARATION OCCURRED WITHOUT DECEPTIVE INTENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Patrick B. Gilliland, hereby declare as follows:

1. I am a joint inventor on the above-identified application.
2. There are five inventors on this application, Patrick B. Gilliland, Luis Torres, Evgueniy Anguelov, Mike A. Ward, and David C. Schie.
3. Inventors Patrick B. Gilliland, Luis Torres, and Evgueniy Anguelov worked for Methode Electronics when the application was filed, and each of these inventors signed the same Declaration and Assignment.
4. Inventors Mike A. Ward and David C. Schie were employees of Linear Dimensions when the application was filed. Mike Ward signed a separate Declaration and Assignment.
5. Multiple declarations and assignments were used as a convenience for the inventors because the inventors were located at different locations.

6. The separate declarations and assignments inadvertently and without deceptive intent failed to list all five of the inventors on each of the separate declarations and assignments. Furthermore, all five of the inventors were clearly identified on the transmittal papers when the application was originally filed.

7. I hereby declare that all statements made herein are of my own knowledge and are believed to be true, and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, and such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

\_\_\_\_\_  
Patrick B. Gilliland

\_\_\_\_\_  
Date

# **Attachment**

**E**



Stratos Lightwave, Inc.

7444 West Wilson Avenue • Chicago, Illinois 60706 • 708.867.9600 • Fax: 708.867.9130

September 22, 2003

Mr. Evgueniy Anguelov  
220 North Mathilda Avenue  
#13  
Sunnyvale, California 94085

**Re: Automatic Power Control Laser Slope Efficiency Normalizing Circuit  
Filed February 4, 2000; U. S. Serial No. 09/498,221; Case No. 902OE002**

Dear Mr. Anguelov:

The Patent and Trademark Office has requested that we file a corrected Declaration of Inventors. In the filed application, there were several Declarations, instead of just one, due to multiple inventors at different locations. Furthermore, all five inventors were not listed on each of the separate declarations. Of course, all five inventors were clearly identified on the coversheet of the filed application. We need to file a single declaration listing all of the five inventors. Also, we need to file a statement from each inventor stating that there was no intent to deceive the patent office that there were less than five inventors.

Please sign the enclosed Declaration listing all five inventors and the Statement of No Intent. If you have any questions or need more information, please feel free to call me.

Sincerely,

Steven M. Evans  
Senior Patent Attorney

SME:aw  
Enclosures

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

RECEIVED

As below-named inventors: Patrick B. Gilliland, Luis R. Torres, Evgueniy Anguelov  
David C. Schie and Mike A. Ward

OCT 21 2003  
OFFICE OF PETITION:

Our residences, post office addresses and citizenship is as stated below, next to our names.

I believe I am an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**AUTOMATIC POWER CONTROL AND LASER SLOPE EFFICIENCY  
NORMALIZING THROUGH COMPENSATIONS IN MODULATION CURRENT**

In the specification of which

       is attached hereto.  
  X   was filed on February 4, 2000, as U.S. Application No. 09/498,221  
or PCT International Application Serial No.                       
and was amended on                       
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

We do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application.

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>      </u> Yes	<u>      </u> No

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status – patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status – patented, pending, abandoned)

We hereby appoint to prosecute and transact all business in the Patent and Trademark Office connected therewith as our attorneys: Karl Kovach, Esq., Reg. No. 40,278, and Steven M. Evans, Esq., Reg. 35,503, whose mailing address and telephone number is STRATOS LIGHTWAVE INC., 7444 West Wilson Avenue, Chicago, IL 60656-4549, (708) 867-9600, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith and direct that all correspondence be forwarded to:

Steven M. Evans, Esq.  
 Stratos Lightwave, Inc.  
 7444 West Wilson Avenue  
 Chicago, Illinois 60656

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: Patrick B. Gilliland

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Santa Barbara, California 93103

Citizenship: U.S.A

Post Office Address: 1633 Loma Street, Santa Barbara, California 93103

Full Name of Second Inventor: Luis Torres

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Rolling Meadows, Illinois 60008

Citizenship: U.S.A.

Post Office Address: 2Knoll Ridge Road, Rolling Meadows, Illinois 60008

Full Name of Second Inventor: Evgueniy Anguelov

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Sunnyvale, California 94086

Citizenship: U.S.A.

Post Office Address: 220 North Mathilda Avenue, #13, Sunnyvale, California 94085

Full Name of Second Inventor: David C. Schie

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: River Grove, Illinois 60171

Citizenship: U.S.A.

Post Office Address: 8218 West Walsh Lance, Apartment 6, River Grove, Illinois 60171

Full Name of Second Inventor: Mike A. Ward

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Chicago, Illinois

Citizenship: U.S.A.

Post Office Address: 2108 North Kenmore, #2R, Chicago, Illinois 60614

"Express Mail No. \_\_\_\_\_

Date of Deposit \_\_\_\_\_

I hereby certify that this paper is being  
deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service,  
under 37 CFR § 1.10 on the date indicated above  
and is addressed to Commissioner of Patents,  
P O Box 1450, Alexandria, VA 22313-1450

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	)	
Gilliland, et al.	)	Group Art Unit: 2877
	)	
Title: Automatic Power Control and Laser Slope	)	Examiner: Rodriguez, A.
Efficiency Normalizing Circuit	)	
	)	
Serial No.: 09/498,221	)	
	)	
Filed: February 4, 2000	)	

**STATEMENT BY EVGUENIY ANGUELOV THAT ERROR IN  
DECLARATION OCCURRED WITHOUT DECEPTIVE INTENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Evgueniy Anguelov, hereby declare as follows:

1. I am a joint inventor on the above-identified application.
2. There are five inventors on this application, Patrick B. Gilliland, Luis Torres, Evgueniy Anguelov, Mike A. Ward, and David C. Schie.
3. Inventors Patrick B. Gilliland, Luis Torres, and Evgueniy Anguelov worked for Methode Electronics when the application was filed, and each of these inventors signed the same Declaration and Assignment.
4. Inventors Mike A. Ward and David C. Schie were employees of Linear Dimensions when the application was filed. Mike Ward signed a separate Declaration and Assignment.
5. Multiple declarations and assignments were used as a convenience for the inventors because the inventors were located at different locations.



6. The separate declarations and assignments inadvertently and without deceptive intent failed to list all five of the inventors on each of the separate declarations and assignments. Furthermore, all five of the inventors were clearly identified on the transmittal papers when the application was originally filed.

7. I hereby declare that all statements made herein are of my own knowledge and are believed to be true, and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, and such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

\_\_\_\_\_  
Evgeniy Anguelov

\_\_\_\_\_  
Date

## Evans, Steve

---

**From:** Evgueniy Anguelov [anguelov@earthlink.net]  
**Sent:** Wednesday, September 17, 2003 11:36 PM  
**To:** Evans, Steve  
**Subject:** Re: "Automatic Power Control" Patent Appln; Ser. No. 09/498,221

Steve,

There are many unresolved issues pending between Stratos Lightwave, Inc. and myself. Therefore, I will not be able to consider any business with Stratos Lightwave at this point.

Regards,

Evgueniy Anguelov

Evans, Steve wrote:

>Evgueniy:

>

> I have a simple question.

>

> We need to have a new Declaration of Inventorship signed again  
>by the all inventors. As you may recall, this is the application we  
>filed as joint inventors with Linear Dimensions. We need a new  
>Declaration listing all the inventors on a single document (please see  
>attached revised Declaration and published application).

>

> Will you sign the document and return it to me? If you require  
>to be paid for the time to sign your name, I will interpret that as a  
>"no." I am just requesting a simple yes or no. If you need any more  
>information, please let me know.

>

>Thanks,

>Steve

>

>

>

>

>

>